

**JUDGE SWAIN**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

INFORMATION

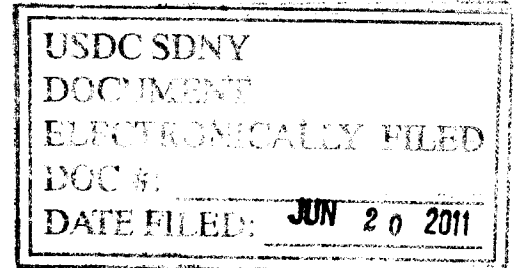
-v.- :

**11 CRIM 525**

DARIUS HEARD, :

Defendant. :

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COUNT ONE

The United States Attorney charges:

1. From at least in or about January 2010, up to and including the date of the filing of this information, in the Southern District of New York and elsewhere, DARIUS HEARD, the defendant, and others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Title 18, United States Code, Section 1347.

2. It was a part and an object of the conspiracy that DARIUS HEARD, the defendant, and others known and unknown, willfully and knowingly would and did execute and attempt to execute a scheme and artifice to defraud health care benefit programs and obtain, by means of false and fraudulent pretenses, representations, and promises, money and property owned by, and under the custody and control of, health care benefit programs, in connection with the delivery of and payment for health care

benefits, items and services, in violation of Title 18, United States Code, Sections 1347(1) and (2).

**OVERT ACTS**

3. In furtherance of the conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about March 22, 2010, DARIUS HEARD, the defendant, used health care benefits to fill a fraudulent prescription for OxyContin at a pharmacy in New Rochelle, New York.

b. On or about April 17, 2010, DARIUS HEARD, the defendant, possessed a fraudulent prescription in New Rochelle, New York.

(Title 18, United States Code, Section 1349.)

**FORFEITURE ALLEGATION**

4. As a result of committing the offense alleged in Count One of the Information, DARIUS HEARD, the defendant, shall forfeit to the United States, pursuant to 18 U.S.C. § 982(a)(7), any property, real or personal, constituting or derived, directly or indirectly, from gross proceeds traceable to the commission of the offense alleged in Count One.

(Title 18 United States Code, Section 982.)

  
PREET BHARARA  
United States Attorney